

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 50 OF 2006
IN
CRIMINAL WRIT PETITION NO. 1535 OF 2005

Brig.(Retd.) K. S. Chandpuri..... Applicant.
Versus
Lt.Gen.(Retd.) P. N. Hoon & Anr..... Respondents.

Ms. Usha Singh i/by M/s.Vyas & Bhalwal
for the Applicant.
Mrs.M. H. Mhatre, APP for the State.

CORAM : D. B. BHOSALE, J.

DATED : 7TH JULY, 2006.

P.C.:

By this application, the applicant is seeking condonation of delay of 101 days caused in preferring Criminal Revision Application before the Sessions Court in pursuance of the order passed by this Court dated 12th September, 2005 in Criminal Writ Petition No. 1535 of 2005. By that order the applicant was given liberty to challenge the order of issue of process in revision within four weeks from the date of the order. The applicant failed to file revision within the time granted and hence the Sessions Court

rejected the application for condonation of delay and granted liberty to the applicant to approach this court. Hence this application.

2. I have perused the application and the reasons stated therein. In my view, extension of time to file revision can not be granted. The applicant ought to have filed it within the time stipulated in the aforesaid order of this court. The reasons stated in the application are not sufficient for condoning the delay. Hence, this application is rejected. Looking to the age of the applicant, if he files application seeking exemption, same may be granted keeping in view the judgment of this court in **Bhaskar Sen v/s State of Maharashtra & Ors., 2004 (4) All MR 606**. The Metropolitan Magistrate, Konkan Bhavan, Vashi, Navi Mumbai shall endeavour to decide Criminal Case No.132 of 2005, as expeditiously as possible and preferably within a period of one year from the date of receipt of this order.

Sd/-

(D. B. BHOSALE, J.)